

SB 5412 - H AMD TO APPG COMM AMD (H-3006.1/09) **585**
By Representative Kretz

On page 4, after line 9 of the amendment, insert the following:

"NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21A
RCW to read as follows:

(1) Recipients for a grant under section 2 of this act for algae
management in marine areas shall, upon sending the application to the
department, ensure that public notice of the application is given by,
at a minimum, the following methods:

(a) Publishing notice of the application at least once per week for
two consecutive weeks, at least seven days apart, in a local newspaper
of general circulation in the county where the proposed treatment site
is located; and

(b) Mailing notice of the application by certified mail to:

(i) Each residence and business owner located on a shoreline
property within one-quarter mile of the proposed treatment site; and

(ii) Each residence and business owner in areas where drift may
occur.

(2) Notices sent under this section must include a statement that
any person desiring to submit written comments concerning an
application for an aquatic algae management must submit the comments to
the department within forty-five days of completion of the notice
requirements in this section.

(3) The department shall forward a copy of the decision concerning
an application for an aquatic algae management to each person who
submitted a written request for the decision at the same time it
notifies the applicant.

(4) The department shall post all applications it receives under
this section in a timely manner and in an easily accessible location on
its internet web site. At the same internet location, the department
shall post an e-mail contact link and physical address that the public
may use to submit comments on applications.

1 (5) The department shall respond in writing to all public comments
2 it receives concerning an application for aquatic algae management
3 prior to issuing a final decision on the application, provided that the
4 comment was submitted in accordance with subsection (2) of this
5 section.

6 (6) Once the department approves an application for an aquatic
7 algae management, the applicator shall:

8 (a) Complete copies of the residential and business notice form
9 provided by the department;

10 (b) Mail copies of the residential and business notice form by
11 certified mail to each residence and business owner specified in
12 subsection (1)(b) of this section at least ten to twenty-one days prior
13 to the initial treatment;

14 (c) Mail, e-mail, or fax a copy of the residential and business
15 notice form, including the date of distribution, to the appropriate
16 department regional office contact no later than one business day
17 following distribution to the residence and business owners specified
18 in subsection (1)(b) of this section; and

19 (d) Maintain a copy of both the initial public notice submitted in
20 accordance with subsection (1) of this section and the residential and
21 business notice form and a list of addresses to which the form was sent
22 for seven years. The applicator shall hand deliver or mail a copy of
23 the residential and business notice form and list of recipients to the
24 department within five business days upon request.

25 (7) The department may adopt rules as necessary to implement this
26 section and shall develop posting requirements for treatment sites."

27 Renumber the remaining sections consecutively and correct any
28 internal references accordingly.

EFFECT: Provides notice requirements for algae control actions
funded through the saltwater algae control account.

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